REMARKS

The Final Office Action mailed February 12, 2008, considered and rejected claims 2-4, 7-9, 12, 14-16, 18-21, 29-34 and 36-39. Claims 2-4, 7-9, 12, 14-16, 18-21, 29-31, 33, 34, and 36-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Cameron* et al. (U.S. Publ. No. 2003/0004964) in view of *Krishnaprasad* et al. (U.S. Publ. No. 2002/0078094). Claim 32 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Cameron* in view of *Krishnaprasad,* in view of *Traversat* et al. (U.S. Patent No. 6,366,954). [1]

By this paper, no claims have been amended. Claims 2-4, 7-9, 12, 14-16, 18-21, 29-34, and 36-39 remain pending in the application, of which claims 31, 37, 38 and 39 are the only independent claims.

As discussed in a telephonic conversation with the Examiner on March 14, 2008, the present application was filed on July 15, 2003. *Cameron* was published on January 2, 2003, which is less than one year before the filing date of the present application. The Office has asserted that *Cameron* qualifies as prior art under 35 USC 102(a). With regards to qualifying as prior art under 35 USC 102(a), that section requires that "the invention was known or used by other in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent...." Applicant has previously submitted on December 26, 2007 an Exhibit A, an email dated May 22, 2002 showing that the present invention was conceived on or before the publishing date of *Cameron*. Additionally, a declaration from the inventor under 37 C.F.R. § 1.131 was submitted showing that the present invention was conceived and reduced to practice prior to the publication of *Cameron*.

Further, applicant submits herewith a declaration from Kim Cameron, to whom a prototype was shown, declaring that the prototype was shown to him prior to January 2, 2003. Kim Cameron further states that the prototype shown included all of the elements of the independent claims as now set forth in the application. This statement is corroborated by the email exchange of Exhibit A previously submitted.

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[1] Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

For example, as it relates to claim 31, Exhibit A discusses Polyarchy. While not explicity defined in Exhibit A, those of skill in the art will recognize the attributes of polyarchical relationships as defined in the present application at [0004]. Exhibit A also illustrates a number of linked paths between objects as defined by their attributes (e.g. manager -> directReport). This illustrates that the first two elements of claim 31 were conceived and corroborates that they were demonstrated by the prototype. The first two elements of claim 31 include "storing objects in a database, wherein the objects each comprise corresponding attributes" and "defining relationships linking different attributes of different objects in a relationship not identified by the hierarchy of the database, the relationship not being explicitly identified in the database, and not ascertainable by checking attribute names in the database, wherein defining the relationships includes creating pointers linking each object by a defined attribute relationship with another object, and such that the defined attribute relationships comprise linked paths between the objects, as defined by their attributes, and wherein the defined relationships comprise relationships other than parent-child relationships defined by a directory hierarchy, and wherein defining attribute relationships for linking objects enables objects of different types to be linked by the defined attribute relationships, each attribute relationship comprising a defined name"

Additionally, Exhibit A illustrates a number of XPath expressions including a view name, and a path element. For example, under the title "Simple XPath / Polyarchy Examples" a number of examples are illustrated. Thus, this disclosure corroborates the statement that the demonstrated prototype included: "receiving a client request for accessing a requested object in the database, wherein the request is entered in the format of a location path expression as an abbreviated XPath expression, having the following format: a first expression component reciting a view name, wherein the view name is a particular defined name of a particular one of the defined attribute relationships; and at least one path element defining one of the objects related by the defined attribute relationship associated with the view name and that defines at least a portion of a linked path to the requested object" as recited by the claims of the present application.

Exhibit A further includes a statement "Return Union of all persons who worked in UDDI and developers who are at costCenter 12504." This disclosure corroborates the statement made by Kim Cameron with regards to "processing the client request comprising the location path expression by converting the abbreviated XPath expression to one or more database queries
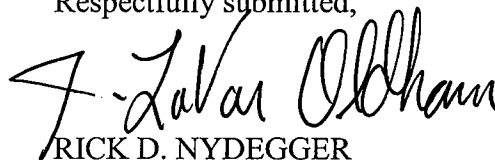
to locate the requested object in the database; and returning the requested object and any other data specified in the location path expression to a client" as recited by the claims being demonstrated by the prototype.

As such, If *Cameron* qualifies as prior art, it does so only under 35 USC 102(e). 35 USC 103(c)(1) states that "[s]ubject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person." Both the present application and *Cameron* have been assigned to Microsoft. The assignment for the present application can be found in a recordation on July 15, 2033 at Reel 014309, Frame 0345. The assignment for *Cameron* can be found in a recordation on March 11, 2002 at Reel 012741, Frame 0125. As such, *Cameron* should be removed as a reference.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 12th day of May, 2008.

Respectfully submitted,

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